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MINISTRY OF EDUCATION & SCIENTIFIC RESEARCH
(Department of Cultural Activities & Physical Education)

NOTIFICATIONS UNDER THE COPYRIGHT ACT, 1957 (14 of 1957)

New Delhi, the 21st January 1958

S.R.O. 269.—In exercise of the powers conferred by sub-section (3) of section 1 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby appoints the 21st day of January 1958 as the date on which the said Act shall come into force.

[No. F.17-3/58-C.2.]

P. N. KIRPAL, Jt. Secy.

S.R.O. 276.—In exercise of the powers conferred by section 78 of the Copyright Act, 1957 (14 of 1957) the Central Government hereby makes the following rules, namely:—

THE COPYRIGHT RULES, 1958

CHAPTER I

PRELIMINARY

1. Short title, extent and commencement.—(1) These rules may be called the Copyright Rules, 1958.

(2) They extend to the whole of India.

(3) They shall come into force on the date on which the Act comes into force.

2. Interpretations.—In these rules, unless the context otherwise requires, —

(a) "Act" means the Copyright Act, 1957 (14 of 1957);

(b) "Form" means a form set out in the First Schedule;

(c) "Schedule" means a Schedule to these rules; and

(d) "section" means a section of the Act.

CHAPTER II

THE COPYRIGHT BOARD

3. Terms and conditions of office of the Chairman and members of the Copyright Board.—(1) The Chairman and other members of the Copyright Board shall be appointed for such period not exceeding five years as the Central Government may in each case deem fit.

(2) The Chairman and other members of the Copyright Board shall, on the expiry of the period of their appointment, be eligible for re-appointment.

(3) The Chairman or any other member of the Copyright Board may resign his office by giving three months' notice in writing to the Central Government.

(4) The Chairman and other members of the Copyright Board shall be paid such salary or honorarium as may be determined by the Central Government in each case.

(5) A non-official appointed as the Chairman or other member of the Copyright Board shall be entitled to travelling allowances for journeys performed on duty and to daily allowances for the period spent on duty on the scale provided in the rules applicable to the class of officers to which the Central Government may declare him to correspond in status:

Provided that it shall be competent for the Central Government to provide a different scale of such allowances if the circumstances of any case so require

(6) An official appointed as the Chairman or other member of the Copyright Board shall be entitled to such travelling allowances for journeys performed on duty and to such daily allowances for the period spent on duty as may be admissible to him as such official.

(7) The other conditions of service of the Chairman and other members of the Copyright Board shall be regulated by orders made in that behalf by the Central Government from time to time.

4. Functions of the Secretary of the Copyright Board. The Registrar of Copyrights shall perform all secretarial functions relating to the Copyright Board under the direction and control of the Chairman of the Copyright Board.

CHAPTER III

RELINQUISHMENT OF COPYRIGHT

5. Notice of relinquishment.—The author of a work desiring to relinquish under section 21 all or any of the rights comprised in the copyright in the work shall give notice to the Registrar of Copyrights in accordance with Form I.

CHAPTER IV

LICENCES FOR TRANSLATIONS

6. Application for licence.—(1) An application for a licence under section 32 to produce and publish a translation of a literary or dramatic work in any language shall be made in triplicate in accordance with Form II and shall be accompanied by the fee prescribed in the Second Schedule.

(2) Every such application shall be in respect of one work only and for translation of that work into one language only.

7. Notice of application.—(1) When any such application has been made, the Copyright Board shall, as soon as possible, give notice of the application in the Official Gazette and also, if the Copyright Board thinks fit, in one or two newspapers and shall send a copy of the notice to the owner of the copyright, wherever practicable.

(2) Every such notice shall contain the following particulars:—

- (a) the date of the application;
- (b) the name, address and nationality of the applicant;
- (c) particulars of the work which is to be translated;
- (d) the date and country of the first publication of the work;
- (e) the name, address and nationality of the owner of the copyright as stated in the application;
- (f) the language in which the work is to be translated; and
- (g) the Registration Number of the work in the Register of Copyrights, if any.

8. Consideration of the application. (1) The Copyright Board shall consider the application after the expiry of not less than one hundred and twenty days from the date of the publication of the notice in the Official Gazette.

(2) The Copyright Board shall give an opportunity to the applicant and also, wherever practicable to any person claiming any interest in the copyright of the work, to be heard and may take such evidence in respect of the application as it thinks fit.

(3) If more than one application for translation of the work in the same language is pending before the Copyright Board at the expiry of one hundred and twenty days after the publication in the Official Gazette of the notice of the application first received, all such applications shall be considered together.

(4) If the Copyright Board is satisfied that the licence for a translation of the work in the language applied for may be granted to the applicant, or, if there are more applicants than one, to such one of the applicants as, in the opinion of the Copyright Board, would best serve the interests of the general public, it shall grant a licence accordingly.

(5) Every such licence shall be subject to the condition provided in sub-section (4) of section 32 relating to the payment of royalties and shall specify

- (a) the period within which the translation shall be produced and published,
- (b) the language in which the translation shall be produced and published;
- (c) the rate at which royalties in respect of the copies of the translation of the work sold to the public shall be paid to the owner of the copyright in the work; and
- (d) the person or persons to whom such royalties shall be payable.

(6) The grant of every such licence shall, as soon as possible, be notified in the Official Gazette and in the newspapers, if any, in which the notice under rule 7 was published and a copy of the licence shall be sent to the other parties concerned.

9. Manner of determining royalties.—The Copyright Board shall determine the royalties payable to the owner of the copyright under sub-section (4) of section 32 after taking into consideration—

- (a) the proposed retail price of a copy of the translation of the work;
- (b) the prevailing standards of royalties in regard to translation of works; and
- (c) such other matters as may be considered relevant by the Copyright Board

10. Extension of the period of licence.—The Copyright Board may, on the application of the licensee and after notice to the owner of the copyright, wherever practicable, if it is satisfied that the licensee was for sufficient reasons unable to produce and publish the translation within the period specified in the licence, extend such period

11. Cancellation of licence.—The Copyright Board may, after giving the licensee an opportunity of being heard, cancel the licence on any of the following grounds, namely:—

- (a) that the licensee has failed to produce and publish the translation within the time specified in the licence or within the time extended on the application of the licensee;
- (b) that the licence was obtained by fraud or misrepresentation as to any essential fact;
- (c) that the licensee has contravened any of the terms and conditions of the licence.

CHAPTER V

PERFORMING RIGHTS SOCIETIES

12. Publication of statement of fees etc.—(1) Every performing rights society having at the commencement of the Act authority to grant licences for performance in public of any works shall, within three months of the commencement of the Act or within such further period as the Registrar of Copyrights may, for sufficient reasons, allow in respect of any such society on an application made by it in this behalf, prepare and publish, at its own cost, in the Official Gazette and in two newspapers in the English language published in two different zones, the statements of all fees, charges or royalties which it proposes to collect for the grant of such licences.

(2) Every performing rights society shall, within one month of its acquiring after the commencement of the Act the authority to grant licences for performance in public of any works or within such further period as the Registrar of Copyrights may, for sufficient reasons, allow in respect of any such society on an application made by it in this behalf, prepare and publish at its own cost, in the Official Gazette, and in two newspapers in the English language published in two different zones, the statements of all fees, charges or royalties which it proposes to collect for the grant of such licences

(3) Every performing rights society shall file with the Registrar of Copyrights two copies of the statements prepared under sub-rule (1) or sub-rule (2) within the time specified therein, together with two copies of each of the newspapers in which such statements have been published.

Explanation.—In this rule “zone” shall have the same meaning as in section 12.

13. Determination of objections. The Copyright Board may take such evidence as it deems fit in determining any objection lodged under section 34.

14. Publication of alterations in the statements of fees etc.—The Registrar of Copyrights shall publish the alterations made by the Copyright Board in the statements of fees, charges or royalties in the Official Gazette and in the two newspapers in which the original statements were published under rule 12 or in such other newspapers as he may deem fit.

CHAPTER VI

REGISTRATION OF COPYRIGHT

15. Form of Register of Copyrights.—(1) The Register of Copyrights shall be kept in four parts as follows:—

Part I. Literary, Dramatic and Musical Works.

Part II. Artistic Works.

Part III. Cinematograph Films.

Part IV. Records.

(2) The Register of Copyrights shall contain the particulars specified in Form III.

16. Application for Registration of Copyright.—(1) Every application for registration of copyright shall be made in accordance with Form IV and every application for registration of changes in the particulars of copyright entered in the Register of Copyrights shall be made in accordance with Form V.

(2) Every such application shall be in respect of one work only, shall be made in triplicate and shall be accompanied by the fee specified in the Second Schedule in this behalf.

(3) The person applying for registration shall simultaneously send a copy of the application to every other person interested in the copyright of the work.

(4) If no objection to such registration is received by the Registrar of Copyrights within thirty days of the receipt of the application by him, he shall, if satisfied about the correctness of the particulars given in the application, enter such particulars in the Register of Copyrights.

(5) If the Registrar of Copyrights receives any objections for such registration within the time specified in sub-rule (4), or, if he is not satisfied about the correctness of the particulars given in the application, he may, after holding such inquiry as he deems fit, enter such particulars of the work in the Register of Copyrights as he considers proper.

(6) The Registrar of Copyrights shall, as soon as may be, send, wherever practicable, a copy of the entries made in the Register of Copyrights to the parties concerned.

17. Correction of entries in the Register of Copyrights.—The Registrar of Copyrights may, on his own motion or on application of any interested person, amend or alter the Register of Copyrights in the manner specified in section 49 after giving, wherever practicable, to the person affected by such amendment or alteration, an opportunity to show cause against such amendment or alteration and communicate to such person the amendment or alteration made.

18. Indexes.—(1) There shall be kept at the Copyright Office the following indexes for each part of the Register of Copyrights, namely,—

(i) a general Author Index;

(ii) a general Title Index;

(iii) an Author Index of works in each language; and

(iv) a Title Index of works in each language.

(2) Every index shall be arranged alphabetically in the form of cards.

19. Inspection of the Register of Copyrights and Indexes.—The Register of Copyrights and indexes thereof shall at all reasonable times be open to inspection by any person in such manner and subject to such conditions as the Registrar of Copyrights may specify.

20. Copies and extracts of the Register of Copyrights and Indexes.—(1) Any person shall be entitled to take copies of, or make extracts from, the Register of Copyrights or indexes on payment of the fee specified in the Second Schedule subject to such supervision as the Registrar of Copyrights may arrange.

(2) The Registrar of Copyrights shall, on an application made in that behalf and on payment of the fee specified in the Second Schedule, furnish a certified copy of any entries made in the Register of Copyrights and indexes thereof.

CHAPTER VII

MAKING OF RECORDS

21. **Making of records.**—(1) Any person intending to make records under clause (j) of sub-section (1) of section 52 shall give notice of such intention to the owner of the copyright and to the Copyright Board at least sixty days in advance of the making of the records and shall pay to the owner of the copyright, along with the notice, the amount of royalties due in respect of all the records to be made at the rate fixed by the Copyright Board in this behalf.

(2) Such notice shall contain the following information, namely:—

- (a) the particulars of the work in respect of which records are to be made;
- (b) alterations and omissions, if any, which are proposed to be made for the adaptation of the work to the records;
- (c) the name, address and nationality of the owner of the copyright in the work;
- (d) particulars of the records made previously recording the work;
- (e) the number of records intended to be made; and
- (f) the amount paid to the owner of the copyright in the work by way of royalties and the manner of payment.

CHAPTER VIII

IMPORTATION OF INFRINGING COPIES

22. **Importation of infringing copies.**—Every application under sub-section (1) of section 53 shall be made in accordance with Form VI and shall be accompanied by the fee specified in the Second Schedule.

23. **Procedure for examination of infringing copies.**—The Registrar of Copyrights or the person authorised by him in this behalf shall, in taking action under sub-section (2) of section 53, act in collaboration with Customs authorities.

CHAPTER IX

MISCELLANEOUS

24. **Mode of making applications etc.**—Every application, notice, statement or any other document to be made, given, filed, or sent under the Act or under these Rules may, unless otherwise directed by the authority concerned, be sent by hand or pre-paid registered post.

25. **Mode of communication by the Copyright Board etc.**—Every written intimation from the Copyright Board, the Copyright Office or the Registrar of Copyrights shall be deemed to have been duly communicated to any person if such intimation is sent to the known address of such person by pre-paid registered post.

26. **Fees.**—(1) The fees payable under the Act in respect of any matter shall be as specified in the Second Schedule.

(2) The fees may be paid to the Registrar of Copyrights, New Delhi, by a postal order or a bank draft issued by a Scheduled Bank as defined in the Reserve Bank of India Act, 1934, or by deposit into a Government Treasury or a branch of the Reserve Bank of India or the State Bank of India under the head of account: Major Head—'XLVI—Miscellaneous', Minor Head 'Naturalisation, Passport and Copyright Fees'.

(3) Postal orders and bank drafts shall be crossed and drawable in New Delhi.

(4) Payment by bank drafts shall not be valid unless the amount of bank commission is included therein.

(5) Where payment is made by deposit in a Government Treasury or a branch of the Reserve Bank of India or the State Bank of India, the *challan* evidencing the payment shall be sent to the authority concerned by pre-paid registered post.

27. **Right of audience.**—In any proceedings before the Copyright Board or the Registrar of Copyrights any party may appear and be heard either in person or by a pleader or other person duly authorised by such party.

28. **Costs.**—The costs of, and incidental to, the proceedings before the Copyright Board or the Registrar of Copyrights shall be in the discretion of the Copyright Board or the Registrar of Copyrights, as the case may be.

FIRST SCHEDULE

Form I—Notice of relinquishment of Copyright

(See rule 5)

To,
The Registrar of Copyrights,
Copyright Office,
NEW DELHI.

Sir,
In accordance with section 21 of the Copyright Act, 1957 (14 of 1957), I hereby give notice that, with effect from the date of this notice, I do **relinquish**, to the extent specified in the enclosed affidavit, my rights in the work described in the said affidavit.

Yours faithfully

Place:—

Date:—

(Signature.)

I, ~~My~~ of Affidavit referred to above

_____, of
(full name in block letters)

_____, do hereby on
(address)
solemn affirmation state that :—

- (1) I am the author of the work described in the Statement below ;
- (2) I am the owner of the copyright in the said work to the extent specified in the said Statement ; and
- (3) I do hereby relinquish my rights in the said work to the extent specified in the said Statement.

STATEMENT

1. Description of the Work :

- (a) Class of the work (Literary, Dramatic, Musical, Artistic, Cinematograph Film, Record).
- (b) Title of the work.
- (c) Full name, address and nationality of the author.
- (d) Language of the work.
- *(e) Name, address and nationality of the publisher.
- *(f) Year of first publication.
- (g) Country of first publication.
- (h) If the copyright in the work is registered under section 45, the Registration Number.

* (If the work has appeared as a serial or otherwise in a journal or magazine, give the name of the journal or magazine, the volume number of the issue, the date and page reference).

2. Rights owned by the deponent on the date of the affidavit.
(If the rights are owned jointly with others, state names, addresses and nationalities of the joint owners).

3. Extent to which rights are relinquished.

4. Reasons for relinquishment of the rights.

(The information given here will be kept strictly confidential).

5. Remarks if any

Place :—

Date :—

Signature_____

Solemnly affirmed before me by

_____, who is known to me personally/
(name of deponent in block letters)
who is identified to me by _____

(name of identifier in block letters)

who is known to me personally.

Place :

Date :—

(Signature and seal of the
Magistrate)

Form II—Application for a licence for translation.

(See rule 6.)

To be submitted in triplicate)

To,

The Registrar of Copyrights,
Secretary, Copyright Board,
Copyright Office,
NEW DELHI.

Sir,

In accordance with section 32 of the Copyright Act, 1957 (14 of 1957), I hereby apply to the Copyright Board for a licence to produce and publish a translation of the work in accordance with the particulars given in the enclosed Statement.

2. I hereby undertake to abide strictly by the terms and conditions of the licence, if granted to me.

Yours faithfully,

Place :—

Date :—

(Signature.)

STATEMENT

1. Full name of the applicant _____
(In block letters)
2. Full address and nationality of the applicant.
3. Telegraphic address, if any.
4. Description of the work :
 - (a) Class of the work (Literary, Dramatic, Musical, Artistic, Cinematograph Film, Record).
 - (b) Title of the work.
 - (c) Full name, address and nationality of the author and if the author is deceased, the date of his decease.
 - (d) Language of the work.
 - *(e) Name, address and nationality of the publisher.
 - *(f) Year of first publication.
 - (g) Country of first publication.
 - (h) Price of a copy of the work.
 - (i) If the copyright in the work is registered under section 45, the Registration Number.

*(If the work has appeared as a serial or otherwise in a journal or magazine, give the name of the journal or magazine, the volume number of the issue, the date and the page reference).
5. Language into which the work is proposed to be translated.
6. Full name, qualifications and address of the translator.
7. Qualifications of the applicant to produce and publish the translation.
8. Number of copies of the translation proposed to be published.
9. Estimated cost of production and publication of the translation.
10. Proposed retail price per copy of the translation.

11. Rate of royalty, which the applicant considers reasonable, to be paid to the copyright owner.
12. Means of the applicant for payment of the royalty.
13. Whether the prescribed fee has been paid and if so, particulars of payment (give Postal Order/Bank Draft/Treasury Challan Number).
14. (a) Full name, address and nationality of the person competent to issue a licence for translation.
 (b) Whether the applicant was able to find the said person.
 * (c) Whether the applicant had requested and had been denied authorisation by the said person to produce and publish the translation.
 * (d) If the applicant was unable to find the owner, whether he had sent a copy of the request for authorisation to the publisher. If so, the date on which the copy was sent.
 * (Enclose true copies of correspondence, if any)
15. Whether the author of the work has withdrawn from circulation copies of the work.
16. (a) Whether a translation in the same language has been published before.
 (b) Whether the earlier translation is out of print.
 (c) Full name, address and nationality of the earlier translator and if the said translator is deceased, the date of his decease.
 (d) Title of the earlier translation.
 (e) Full name, address and nationality of the publisher of the earlier translation.
 (f) Year of publication.
 (g) Price per copy of the earlier translation.
 (h) If the earlier translation is registered under section 45, the Registration Number.
 (i) Rate and amount of royalty paid to the copyright owner in respect of the earlier translation, if known.
17. (a) Whether translation has been made into any language other than the language stated in 5 above.
 (b) Full name, address and nationality of the translator and if the said translator is deceased, the date of his decease.
 (c) Title of the translation.
 (d) Language of the translation.
 (e) Full name, address and nationality of the publisher of the translation.
 (f) Year of publication.
 (g) Price per copy of the translation.
 (h) If the translation is registered under section 45, the Registration Number.
 (i) Rate and amount of royalty paid to the copyright owner, if known.
18. Remarks, if any.
19. List of enclosures.

Place :—

date:—

(Signature)

Form III—Form of Register of Copyrights
(See rule 15)

1. Registration Number.
2. Name, address and nationality of the applicant.
3. Nature of the applicant's interest in the copyright of the work.
4. Class and description of the work.
5. Title of the work.
6. Language of the work.
7. Name, address and nationality of the author and if the author is deceased, the date of his decease.
8. Whether work is published or unpublished.
9. Year and country of first publication and name, address and nationality of the publisher.
10. Years and countries of subsequent publications, if any, and names, addresses and nationalities of the publishers.
11. Names, addresses and nationalities of the owners of the various rights comprising the copyright in the work and the extent of rights held by each, together with particulars of assignments and licences, if any.
12. Names, addresses and nationalities of other persons, if any, authorised to assign or licence the rights comprising the copyright.
13. If the work is an 'Artistic Work', the location of the original work, including name, address and nationality of the person in possession of it. (In the case of an architectural work, the year of completion of the work should also be shown).
14. Remarks, if any.

Form IV—Application for Registration of Copyright
(See rule 16)

To
The Registrar of Copyrights,
Copyright Office,
NEW DELHI.

Sir,

In accordance with section 45 of the Copyright Act, 1957 (14 of 1957), I hereby apply for registration of copyright and request that entries may be made in the Register of Copyrights as in the enclosed Statement of Particulars sent herewith in triplicate.

*I also send herewith duly completed the Statement of Further Particulars relating to the work.

2. In accordance with rule 16 of the Copyright Rules, 1958, I have sent by prepaid registered post copies of this letter and of the enclosed Statement (s) to the other parties **concerned, as shown below :—

Names and addresses of the parties

Date of despatch

1

2

*For Literary, Dramatic, Musical and Artistic Works only.

** (See columns 7, 11, 12 and 13 of the Statement of Particulars and the party referred to in column 2(e) of the Statement of Further Particulars)

3. The prescribed fee has been paid, as per details below :—

4. Communications on this subject may be addressed to :—

List of Enclosures

Place :—

Date :—

Yours faithfully,

(Signature.)

Statement of Particulars

(To be sent in triplicate)

1. Registration Number. (To be filled in the Copyright Office).
2. Name, address and nationality of the applicant.
3. Nature of the applicant's interest in the copyright of the work.
4. Class and description of the work.
5. Title of the work.
6. Language of the work.
7. Name, address and nationality of the author and if the author is deceased, the date of his decease.
8. Whether work is published or unpublished.
9. Year and country of first publication and name, address and nationality of the publisher.
10. Years and countries of subsequent publications, if any, and names, addresses and nationalities of the publishers.
11. Names, addresses and nationalities of the owners of the various rights comprising the copyright in the work and the extent of rights held by each, together with particulars of assignments and licences, if any.
12. Names, addresses and nationalities of other persons, if any, authorised to assign or licence the rights comprising the copyright.
13. If the work is an "Artistic Work", the location of the original work, including name, address and nationality of the person in possession of the work. (In the case of an architectural work, the year of completion of the work should also be shown).
14. Remarks, if any.

Place :—

(Signature)

Date :—

Statement of Further Particulars

(For Literary, Dramatic, Musical and Artistic Works only)

(To be sent in triplicate)

1. Is the work to be registered?
 - (a) an original work?
 - (b) a translation of a work in the public domain?
 - (c) a translation of a work in which copyright subsists?
 - (d) an adaptation of a work in the public domain?
 - (e) an adaptation of a work in which copyright subsists?
2. If the work is a translation or adaptation of a work in which copyright subsists :—
 - (a) Title of the original work.
 - (b) Language of the original work.
 - (c) Name, address, and nationality of the author of the original work and if the author is deceased, the date of his decease.
 - (d) Name, address and nationality of the publisher, if any, of the original work.
 - (e) Particulars of the authorization for a translation or adaptation including the name address and nationality of the party authorising.

3. Remarks, if any

Place :—

(Signature)

Date :—

Form V.—Application for registration of changes in the particulars of copyright entered in the Register of Copyrights

(See rule 16)

To

The Registrar of Copyrights,
Copyright Office,
NEW DELHI.

Sir,

In accordance with rule 16 of the Copyright Rules, 1958, I hereby apply for registration of changes in the particulars of copyright entered in the Register of Copyrights and request that changes in the existing entries may be made as specified in the enclosed Statement of Particulars.

2. I have sent by registered post copies of this letter and of the Statement of Particulars to the other parties concerned* as shown below:—

Names and addresses of parties	Date of despatch

*See columns 7, 11, 12 and 13 of the Register of Copyrights

3. The prescribed fee has been paid, as per details below :—

4. Communications on this subject may be addressed to :—

Yours faithfully,

Place :—

Date :—

Signature.

Statement of Particulars

1. Registration Number in the Register of Copyrights.
2. Changes sought in the particulars of copyright as entered in the Register of Copyrights.

Reference to Column Number of the Register of Copyrights	Existing entry in the Register of Copy- rights	Proposed entry in place of the existing entry in the Register of Copyrights	Reasons for the changes proposed
1	2	3	4

NOTE.—Where the changes proposed are consequent on assignments or licences of copyright, attested copies of the deeds of assignments or licences should be enclosed.

3. List of Enclosures.

(Signature)

Place :—

Date :—

Form VI—Application under section 53 of the Act

(See rule 22)

To

The Registrar of Copyrights,
Copyright Office,
NEW DELHI.

Sir,

In accordance with section 53 of the Copyright Act, 1957 (14 of 1957), I hereby state that:—

*I am the owner of the copyright

*I am the duly authorised agent of _____ who is the owner of copyright
(full name)

in the work specified in the enclosed affidavit and I hereby apply for an order that the copies of the said work as specified in the said affidavit shall not be imported into India.

*Delete whichever is inapplicable.

2. I am also enclosing a copy of the work the copyright in which is being infringed.

3. I produce herewith the following additional evidence in proof of infringement of copyright by the works in respect of which the order is sought :—

(Give particulars)

4. The prescribed fee has been paid as per details below—

(Give particulars)

5. Communications on this subject may be addressed to—

Yours faithfully,

Place :—

Date :—

(Signature)

Form of Affidavit

I, _____, of
(full name in block letters)

(full address)

do hereby
on solemn affirmation state that—

(1) the particulars in the Statement below are true to the best of my knowledge and belief;

(2) the works which are being imported in accordance with the particulars in the said Statement are infringing copies of the work described in the said Statement ; and

(3) I am interested in the prevention of importation of the said infringing copies for the following reasons :—

(State reasons)

(4) the infringing copies are not being imported for the private and domestic use of the importer.

STATEMENT

A. Particulars of the Work and Rights held

1. Full name, address and nationality of the applicant.

2. Telegraphic address of the applicant.

3. If the applicant is not the owner of the copyright, full name, address and nationality of the owner of the copyright.

4. Description of the Work:—

(a) Class of the work (Literary, Dramatic, Musical, Artistic, Cinematograph Film, Record).

(b) Title of the work.

(c) Full name, address and nationality of the author and if the author is deceased, the date of his decease.

(d) Language of the work.

*(e) Name and address of the publisher.

*(f) Year of first publication.

(g) Country of first publication.

(h) If the copyright in the work is registered under section 45, the Registration Number.

*(If the work has appeared as a serial or otherwise in a journal or magazine, give the name of the journal or magazine, the volume number of the issue, the date and page reference).

B.—Details of import of infringing copies

1. Country of origin of the infringing copies.

2. Name, address and nationality of the importer in India.

3. Name, address and nationality of the maker of the infringing copies.

4. Expected time and place of import of the infringing copies into India.

5. In case a consignment of the infringing copies is detected and detained, will the applicant be prepared to go himself or depute an authorised agent to identify the said copies to the satisfaction of the Registrar of Copyrights.

C :—Any other relevant information not covered above.

Place :

(Signature)

Date :

Solemnly affirmed before me by

(full name of deponent in block letters)

who is known to me personally/who is identified to me by

who is known to me personally.

(name of identifier in block letters.)

Place :

(Signature and seal of the Magistrate.)

Date :

SECOND SCHEDULE

Fees payable under the Act

1. For a licence to republish a Literary, Dramatic, Musical or Artistic Work (*section 31*). Rs. 25/- per work.
2. For a licence to republish a Cinematograph Film (*section 31*). Rs. 50/- per work.
3. For a licence to republish a Record (*section 31*) Rs. 25/- per work.
4. For a licence to perform an Indian work in public or to communicate the work to the public by radio-diffusion (*section 31*). Rs. 5/- per work.
5. For an application for a licence to produce and publish a translation of a Literary or Dramatic Work in any language (*section 32*). Rs. 50/- per work.
6. For an application for registration of copyright in a Literary, Dramatic, Musical or Artistic Work. (*section 45*). Rs. 2/- per work.
7. For an application for changes in particulars of copyright entered in the Register of Copyrights in respect of a Literary, Dramatic, Musical or Artistic Work. (*section 45*). Re. 1/- per work.
8. For an application for registration of copyright in a Cinematograph Film (*section 45*). Rs. 10/- per work.
9. For an application for registration of changes in particulars of copyright entered in the Register of Copyrights in respect of a Cinematograph Film (*section 45*). Rs. 5/- per work.
10. For an application for registration of copyright in a Record (*section 45*). Rs. 4/- per work.
11. For an application for registration of changes in particulars of copyright entered in the Register of Copyrights in respect of a Record (*section 45*). Rs. 2/- per work.
12. For taking extracts from the Register of Copyrights (*section 47*). Re. 1/- per work per hour.
13. For taking extracts from the Indexes (*section 47*). Re. 0.50 per hour or fractions of an hour.
14. For a certified copy of an extract from the Register of Copyrights or the Indexes (*section 47*). Re. 1/- per work plus 0.50 per folio of 144 words or less.
15. For a certified copy of any other public document in the custody of the Registrar of Copyrights or the Copyright Board. Re. 0.50 per folio of 144 words or less.
16. For an application for prevention of importation of infringing copies (*section 53*). Rs. 25/- per work per place of entry.

[No. F. 17-4/58, C-2.]
P. N. KIRPAL Ji. Secy.

COPYRIGHT

New Delhi 2, the 21st January 1958

S.R.O. 271.—In exercise of the powers conferred by section 40 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby makes the following order, namely:—

THE INTERNATIONAL COPYRIGHT ORDER, 1958

1. (1) This Order may be called the International Copyright Order, 1958.
- (2) It shall come into force on the 21st day of January, 1958.
2. In this Order, unless the context otherwise requires—
 - (a) "Berne Convention Country" means a country which is a member of the Berne Copyright Union, being a country mentioned in Part I of the Schedule;
 - (b) "Order in Council" means an Order in Council made under the Copyright Act, 1911, passed by the Parliament of the United Kingdom;
 - (c) "Schedule" means the schedule to this Order; and
 - (d) "Universal Copyright Convention Country" means a country which has ratified, accepted or acceded to the Convention relating to copyright done at Geneva on the sixth day of September, one thousand nine hundred and fifty two, being a country mentioned in Part II of the Schedule.
3. Subject to the provisions of paragraph 4, all the provisions of the Copyright Act, 1957 (14 of 1957), (hereinafter referred to as "the Act"), except those of Chapter VIII and those which apply exclusively to Indian works, shall apply—
 - (a) to any work first published in a country mentioned in the Schedule, in like manner as if it was first published in India;
 - (b) to any work first published in a country other than a country mentioned in the Schedule, the author of which was, at the date of such publication, or, where the author was dead at that date, was at the time of his death, a national of a Universal Copyright Convention Country in like manner as if the author was a citizen of India at that date or time;
 - (c) to an unpublished work the author whereof was, at the time of the making of the work, a national of, or domiciled in, any country mentioned in the Schedule, in like manner as if the author was a citizen of, or domiciled in, India; and
 - (d) in relation to a body incorporated under any law of a country mentioned in the Schedule, in like manner as if it was incorporated under a law in force in India.
4. Notwithstanding anything contained in paragraph 3—
 - (a) the provisions of section 32 of the Act—
 - (i) shall not apply to a work first published in a Berne Convention Country; and
 - (ii) shall apply to a work first published in a Universal Copyright Convention Country, not being a Berne Convention Country, and to a work of a national of a Universal Copyright Convention Country first published in a country other than a Berne Convention Country, only in respect of translation of the work into any language specified in the Eighth Schedule to the Constitution of India;
 - (b) the term of copyright for a work shall not exceed that enjoyed by it in its country of origin; and
 - (c) the Act or any part thereof shall not apply to a work published before the commencement of this Order in a Universal Copyright Convention Country, not being a Berne Convention Country, other than any such work published in the United States of America which enjoyed copyright in India immediately before such commencement by virtue of any Order in Council.

Explanation.—In this paragraph, "country of origin" means:—

- (a) in the case of a work first published in a Berne Convention Country or a Universal Copyright Convention Country, that country;
- (b) in the case of a work published simultaneously in a Berne Convention Country and a country which is not a Berne Convention Country, the former country;
- (c) in the case of a work which is published simultaneously in a Universal Copyright Convention Country and a country which is neither a Berne Convention Country nor a Universal Copyright Convention Country, the former country;

- (d) in the case of a work which is published simultaneously in several Berne Convention Countries, the country whose laws give the shortest term of copyright in such a work
- (e) in the case of a work which is published simultaneously in several Universal Copyright Convention Countries, the country whose laws give the shortest term of copyright in such a work,
- (f) in the case of an unpublished work or a work first published in a country other than a Berne Convention Country or a Universal Copyright Convention Country, the country of which the author was a national, or the country in which he was domiciled at the time of making the work or a substantial part of it or, as the case may be at the time of its first publication, whichever gives the longer term of copyright

5 All Orders in Council, so far as they form part of the law of India, are hereby revoked

Provided that where by virtue of any Order in Council copyright subsisted in a work immediately before the commencement of this Order and copyright does not subsist therein under this Order, it shall continue to subsist therein as if such Order in Council had not been revoked

THE SCHEDULE

PART I

Berne Convention Countries

[See paragraph 2(d)]

Australia (and Papua, New Guinea, Nauru and Norfolk Island).
 Austria
 Belgium (and Belgian Congo and Ruanda Urundi)
 Brazil
 Bulgaria
 Canada
 Czechoslovakia
 Denmark
 Finland
 France (and its territories)
 Federal Republic of Germany (and Land Berlin)
 Greece
 Hungary
 Iceland
 Indonesia
 Republic of Ireland
 Israel
 Italy
 Japan
 Lebanon
 Liechtenstein
 Luxembourg
 Monaco
 Morocco
 Netherlands (and its territories)
 New Zealand (and Western Samoa)
 Norway
 Pakistan
 Poland
 Portugal (and its territories)

Rumania
Siam (Thailand)
South Africa
Spain (and its territories)
Sweden
Switzerland
Syria
Tunisia
United Kingdom
Vatican City
Yugoslavia

PART II

Universal Copyright Convention Countries

[See paragraph 2 (d)]

Andorra
Austria
Argentine Republic
Cambodia
Chile
Costa Rica
Cuba
Ecuador
France
Federal Republic of Germany (and Land Berlin)
Haiti
Iceland
Israel
Italy
Japan
Laos
Liberia
Luxembourg
Mexico
Monaco
Pakistan
Philippines
Portugal
Spain
Switzerland
United Kingdom
The United States of America (and Alaska, Guana, Hawaii, Panama Canal Zone,
Puerto Rico and Virgin Islands of the United States of America).
Vatican City.

[No. F.17-6/58-C.2.]

P. N. KIRPAL, Jt. Secy.

S.R.O. 272.—In exercise of the powers conferred by sub-section (3) of section 41 of the Copyright Act, 1957 (14 of 1957), the Central Government hereby makes the following order, namely:—

COPYRIGHT (INTERNATIONAL ORGANISATIONS) ORDER, 1958

1. Short title and commencement.—(1) This Order may be called the Copyright (International Organisations) Order, 1958.

(2) It shall come into force on the 21st day of January, 1958.

2. Organisations to which section 41 of the Copyright Act, 1957, applies.—It is hereby declared that it is expedient that section 41 of the Copyright Act, 1957 (14 of 1957), shall apply to the organisations specified in the Schedule hereto.

THE SCHEDULE

1. United Nations Organisation.
2. Specialized Agencies of the United Nations Organisation.
3. Organisation of American States.

[No. F.17-2/58-C.2.]

P. N. KIRPAL, Jt. Secy.